

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

HITUL GANDHI, Individually and On behalf of a class of others similarly situated,	§ § § § § § § § § §	Civil Action No. 1:08-CV-0248 LY
v.		
DELL INC. and DELL MARKETING USA, L.P.		

[PROPOSED] ORDER

On July 2, 2009, this Court conditionally certified an FLSA collective action. The issue remaining to be decided is the form of and process for notifying class members. The Parties have submitted competing proposals. Having considered all papers submitted with regard to this issue, the Court now adopts Plaintiffs' Proposed Notice and procedure (Doc. #113). Plaintiffs' Counsel is directed to hire a third-party to administer the Notice. Defendants are ordered to promptly submit to the third-party administrator the last-known address, telephone number, social security number, and e-mail address of each putative class member employed by Dell as a business sales representative within 3 years of this Order. Pursuant to Plaintiffs' proposal, class members shall have 90 days from the date Notice is mailed to opt-in to this lawsuit. An opt-in form shall be deemed received on the date it is post-marked. However, counsel for the Parties may mutually agree to accept late opt-ins without Court approval.

SIGNED this _____ day of _____.

UNITED STATES DISTRICT JUDGE